

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

AARON SCHINDLER, on behalf of himself	)	
and all others similarly situated,	)	Master File No. 13-md-02475-ALC
	)	
Plaintiff,	)	Case No. 13-cv-8240
	)	
v.	)	ECF CASE
	)	
ROYAL DUTCH SHELL PLC, BP PLC,	)	
STATOIL ASA, MORGAN STANLEY,	)	JURY TRIAL DEMANDED
TRAFIGURA BEHEER B.V., TRAFIGURA	)	
AG, PHIBRO TRADING LLC, VITOL, S.A.	)	
and JOHN DOES 1-50,	)	
	)	
Defendants.	)	
	)	

**PLAINTIFF SCHINDLER'S MEMORANDUM OF LAW IN SUPPORT OF  
MOTION OF PLAINTIFFS KEVIN McDONNELL,  
ANTHONY INSINGA, ROBERT MICHIELS, JOHN DEVIVO AND NEIL TAYLOR  
TO APPOINT KIRBY McINERNEY AS INTERIM LEAD COUNSEL**

Plaintiff Aaron Schindler respectfully submits this memorandum in support of the motion of plaintiffs Kevin McDonnell, Anthony Insinga, Robert Michiels, John Devivo and Neil Taylor for an order appointing the law firm Kirby McInerney LLP (“Kirby McInerney”) as Interim Lead Counsel for the proposed class of futures traders in Brent crude oil futures.

Federal Rule of Civil Procedure 23(g)(3) permits the Court to “designate interim counsel to act on behalf of the putative class before determining whether to certify the action as a class action.” While Plaintiff Schindler is exactly the type of class member who would vigorously and diligently represent the Class, and his counsel, Berger & Montague, P.C., is exactly the type of a highly qualified law firm contemplated by Rule 23 to represent the Class (*see* Berger & Montague, P.C. Firm Resume attached hereto as Exhibit A, which details Berger & Montague’s relevant experience), Plaintiff Schindler supports the motion of plaintiffs Kevin McDonnell,

Anthony Insinga, Robert Michiels, John Devivo and Neil Taylor to appoint Kirby McInerney as Interim Lead Counsel and will endeavor to provide additional support to the litigation to the extent necessary.

Dated: November 20, 2013

Respectfully submitted,

/s/

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Proposed Class*